



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined third to fifth periodic reports of Nepal*

I. Introduction

1. The Committee considered the combined third to fifth periodic reports of Nepal (CRC/C/NPL/3-5) at its 2110th and 2111th meetings (see CRC/C/SR.2110 and 2111), held on 19 and 20 May 2016, and adopted the present concluding observations at its 2132nd meeting (see CRC/C/SR.2132), held on 3 June 2016.

2. The Committee welcomes the submission of the combined third to fifth periodic reports of the State party and the written replies to the list of issues (CRC/C/NPL/Q/3-5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

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IV. Main areas of concern and recommendations

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H. Education, leisure and cultural activities (arts. 28-31)

Education, including vocational training and guidance

58. The Committee welcomes the constitutional provisions on free and compulsory basic education and free secondary education. However, the Committee is concerned about:

- (a) The fact that this constitutional provision is not yet enshrined in legislation;
- (b) Decreases in the proportion of the budget allocated to State-provided education, combined with the emergence of private schools, which exacerbates segregation

* Adopted by the Committee at its seventy-second session (17 May-3 June 2016).



and discrimination in the education system while reducing the overall quality of education available to children;

- (c) The high number of children who are out of school due to hidden fees;
- (d) The high dropout rate of girls between primary and secondary school, and during secondary school, due to lack of separate toilets and menstrual hygiene;
- (e) The low enrolment rate and high dropout rate of indigenous children;
- (f) Significant gaps in the quality of education between rural and urban areas;
- (g) Inadequate development of early childhood care and education.

59. **In the light of its general comment No. 1 (2001) on the aims of education, the Committee recommends that the State party:**

(a) **Enact legislation to ensure the effective implementation of the constitutional right to education;**

(b) **Implement appropriate financing strategies, so as to ensure the effective and actual provision of free quality education to all without discrimination, in all parts of the country, in particular for children in the most marginalized situations;**

(c) **Take appropriate regulatory measures to ensure that private providers of education do not undermine social cohesion, or exacerbate segregation and discrimination, in particular by effectively regulating fees, syllabi, admission criteria and diversity of student backgrounds, and other barriers to access, and ensure the adequate implementation of the legislation, as well as ensure child-friendly school infrastructure in private schools;**

(d) **Ensure regulatory and enforcement frameworks, including reporting mechanisms, to combat the phenomenon of schools and/or teachers subjecting children to hidden costs for attending school;**

(e) **Carry out awareness-raising activities with a view to eliminating patriarchal values, gender stereotypes and menstruation-related discrimination, which undermine the right of girls to education, and ensure the allocation of adequate resources for the provision of sufficient gender-separated toilets and menstrual hygiene items in schools;**

(f) **Implement targeted programmes, along with earmarked funding, for increasing the rate of school enrolment and secondary school completion rates for indigenous children;**

(g) **Take the necessary measures to improve the accessibility and quality of education, and provide quality training for teachers, with particular emphasis on rural areas;**

(h) **Allocate sufficient financial resources for the development and expansion of early childhood education, based on a comprehensive and holistic policy of early childhood care and development.**

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Economic exploitation, including child labour

68. The Committee is concerned about the prevalence of child labour in the State party and, notwithstanding the ratification of International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), there are reportedly over 600,000 children

involved in the worst forms of child labour. The Committee is also concerned about the continuity of practices that are forbidden by law, such as *Kamalari*.

69. **The Committee recommends that the State party:**

(a) **Amend the Child Labour Act and other relevant legislation so that the necessary regulation of child labour applies to all areas of work, including the worst forms of child labour and the informal sector;**

(b) **Strengthen the enforcement of existing legislation and policies to eradicate the practice of child bonded labour;**

(c) **Take preventive measures to ensure that those children who engage in labour do not work under harmful conditions and continue to have access to education;**

(d) **Fully implement all policies and legislation relevant to child labour, inter alia, through public awareness campaigns and education for the public on the protection of the rights of children;**

(e) **Strengthen the implementation of the Kamaiya Prohibition Act, and take effective measures to ensure the social integration of emancipated *Kamaiya* workers;**

(f) **Seek technical assistance from the International Programme on the Elimination of Child Labour of the International Labour Organization in this regard.**